

ARGUMENTS/REMARKS

Applicants would like to thank the examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe and claim the subject matter which applicants regard as the invention.

Claims 1-39 remain in this application. New claims 40-41 are added without adding any new matter.

The Examiner objected to various claims for improper multiple dependencies and nonstatutory subject matter. The claims have been amended, making the objections moot.

Claims 1-20 and 32-39 were rejected under 35 U.S.C. §102(e) as being anticipated by Yamamoto (U.S. 2003/0182051). For the following reasons, the rejection is respectfully traversed.

Yamamoto is not properly considered prior art in this application. Yamamoto was filed on March 23, 2003, and thus is only prior art under 35 U.S.C. §102(e) as of that date. The current application was filed on March 27, 2003, but claims priority from Japanese application JP 2002-089069 filed on March 27, 2002, which predates the Yamamoto reference. An accurate English translation of JP2002-089069 is provided herewith which supports the claims provided in this case. Accordingly, the current rejection cannot stand and should be withdrawn.

In consideration of the foregoing analysis, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. NGB-37074.

Respectfully submitted,
PEARNE & GORDON, LLP

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